

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE J. HALL,

v.
Plaintiff, Case Number 19-11909
Honorable David M. Lawson
Magistrate Judge Elizabeth A. Stafford

GRETCHEN WHITMER, AARON
PAYMENT, and SAULT STE.MARIE
TRIBE OF CHIPPEWA INDIANS,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION TO
GRANT DEFENDANT PAYMENT'S MOTION TO DISMISS**

Presently before the Court is the report issued on July 20, 2020 by Magistrate Judge Elizabeth A. Stafford pursuant to 28 U.S.C. § 636(b), recommending that the Court dismiss the plaintiff's claims against defendant Aaron Payment for failing to state a claim against the defendant as none of the alleged injuries are attributable to Payment's conduct. Although the report stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation (ECF No. 27) is **ADOPTED**.

It is further **ORDERED** that the motion to dismiss filed by defendant Aaron Payment (ECF No. 13) is **GRANTED**.

It is further **ORDERED** that the complaint is **DISMISSED WITH PREJUDICE** as to defendant Aaron Payment, only.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 13, 2020